

**TOWN OF NEWSTEAD - PLANNING BOARD MINUTES**  
**April 17, 2006**

PRESENT: Tom Cowan, Chairman  
Terry Janicz  
John Olaf  
Don Hoefler  
John Potera  
Andy Kelkenberg  
Christine Falkowski, Recording Clerk  
Rebecca Baker, Zoning Officer

ABSENT: Rick Meahl

The Planning Board meeting was called to order by Tom Cowan at 7:30PM.

**Public Hearing: 3-Lot Minor Subdivision – Stage Road – Ivy Ridge Properties**

The legal notice appeared in the Akron Bugle on April 13, 2006. Pat Bittar of Schutt Engineering appeared, representing Don Nicholas. No one else appeared to speak. Wendel Duchscherer reviewed the project and provided six comments in a memo dated April 13, 2006. Pat sent a letter to the NYSDEC dated April 12, 2006 requesting reaffirmation of the wetland boundaries, with no response as yet. Pat stated she would address all items in the memo. The public hearing came to a close at 7:38PM.

Terry motioned to approve the subdivision with the condition that (a) Schutt Engineering properly address and satisfy the comments in Wendel memo and (b) \$2,050 subdivision fee is paid, seconded by Don:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Don Hoefler	-Aye
John Potera	-Aye
Andy Kelkenberg	-Aye

**Preapplication Conference – Subdivision – Maple Road – Matt Karcher**

Matt Karcher owns 100 acres on Maple Road most of which is farmed and containing a vacant house, and. Matt brought with him a survey. The elevations must be actual, not 100' as a benchmark, and Matt stated he will have this changed. He owns 1,305' of frontage and has a buyer for the house on a 225' x 400' lot. He would like to split off an additional two lots for a total of 675', leaving him 630' of frontage. There is access to this parcel from Cedar Street through a lot his father owns. If a buyer wants a custom lot with more depth after subdivision approval, the subdivision would be amended with re-survey required.

**Preapplication Conference – Subdivision – Barnum Road – John Smith**

John Smith owns an irregular-shaped 33-acre lot with 397' of frontage on Main Road and 69' on Barnum Road. His commercial storage buildings would be split into one parcel. The remaining parcel contains the escarpment and backs up to the bike path. He would like to put in six – seven homes with a pond. He does not wish to build a road, just a driveway per Town specs, requiring over 900'. This concept would make good use of backland. John was advised to sketch a layout, road schematic with 72' turnaround and pond. He must present this to the Zoning Board of Appeals for a variance regarding the insufficient frontage. If granted, he could then apply for major subdivision approval.

**1-Lot Minor Subdivision – 5914 Cummings Road – Joe Frey**

Joe Frey's attorneys, Jeff Palumbo and Brad appeared. Approximately one year ago, Joe Frey sold a six-acre lot, home and barn from 22 acres without subdivision approval. After several zoning violations being issued, application was recently made. There is no development planned. The driveway for the home is on the remaining 16-acre piece and was included in the original offer. Nathan Neill was consulted and stated the driveway would have to be relocated or a permanent recorded easement sought. The barn is very close to the new lot line. Will the runoff go off site? Don made a motion to approve the subdivision with the condition that (a) a permanent easement is recorded for the driveway, or the driveway be relocated to the six-acre parcel and (b) If in the future, runoff from the barn effects off site property, the owner of the 16-acre parcel must install a swale, seconded by Andy:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Don Hoefler	-Aye
John Potera	-Aye
Andy Kelkenberg	-Aye

**Minutes Review**

John O. motioned to approve the minutes of April 3, 2006, seconded by Terry:

- |                 |      |
|-----------------|------|
| Tom Cowan       | -Aye |
| Terry Janicz    | -Aye |
| John Olaf       | -Aye |
| Don Hoefler     | -Aye |
| John Potera     | -Aye |
| Andy Kelkenberg | -Aye |

**Other:**

- There will be a SEQR presentation on May 1<sup>st</sup> at 7PM; therefore, the Planning Board meeting will begin late. John Potera will be absent.
- Previously proposed flaglot legislation will be mailed with next packet.
- Tom Cowan will be absent on June 5<sup>th</sup>. Tom made a motion to change the June 5<sup>th</sup> meeting date to June 12<sup>th</sup>, seconded by Don:

- |                 |      |
|-----------------|------|
| Tom Cowan       | -Aye |
| Terry Janicz    | -Aye |
| John Olaf       | -Aye |
| Don Hoefler     | -Aye |
| John Potera     | -Aye |
| Andy Kelkenberg | -Aye |

John P. made a motion to adjourn the meeting at 9:10PM, seconded by Terry and all approved.

Respectfully submitted,

Christine Falkowski  
Recording Clerk